

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:  
Robert K. Rowe

Serial No.: 09/415,594

Filed: October 8, 1999

Confirmation No.: 5039

Atty. File No.: 50654-00064

For: "APPARATUS AND METHOD FOR  
IDENTIFICATION OF INDIVIDUALS BY  
NEAR-INFRARED SPECTRUM"

) Group Art Unit: 2621  
)  
) Examiner: Werner, Brian P.  
)  
)

RESPONSE TO DENIAL OF REQUEST  
FOR POWER OF ATTORNEY

Mail Stop: Post Issue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In a communication dated May 2, 2012, the Office denied entry of a request for Power of Attorney filed April 25, 2012, asserting that "[t]he Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received."

Attached herewith is a copy of the Statement Under 37 CFR 3.73(b) filed in the application on November 25, 2002.

Entry of the Power of Attorney filed April 25, 2012 is accordingly requested.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

Date: May 9, 2012

By: /Patrick M. Boucher/  
Patrick M. Boucher  
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303-770-0051 (Tel)